

Application No.: 10/542,001
Amendment dated: August 29, 2008
Reply to Office Action of May 13, 2008
Attorney Docket No.: GRW-0002

Amendments to the Drawings

Amendments to Figs. 1 and 3 have been made. Enclosed please find Replacement Sheets 1/5 and 2/5. These amendments have been made to add reference character 14a, referenced in the present application at page 8, paragraph 7, as an example. No new matter has been added.

REMARKS

Claims 1-16 were pending prior to this response. In this response, claims 8-9 have been cancelled and independent claim 1 has been amended to include the limitations of claims 8 and 9. Support for the amendment to claim 1 can be found, for example, in the present application at p. 4, last line; page 5, penultimate paragraph; page 7, 4th paragraph; and page 8, last paragraph.

102 Rejections

Claims 1-4 and 8-10 have been rejected under 35 USC 102(b) as being anticipated by US Patent No. 4,867,230 to Voss ("Voss"). No specific explanation of how Voss anticipated each and every element of each and one of claims 1-4 and 8-10 was given. Therefore, Applicants believe that a *prima facie* case of anticipation has not been made for each of claims 1-4 and 8-10.

Notwithstanding, with particular regard to claim 1, as noted above, claims 8 and 9 were incorporated into claim 1, with claims 8 and 9 having been cancelled.

Voss discloses a convection blanket for warming patients lying thereon. Thus, if the blanket incorporated any aide portions joined by needle fabric, or the like, the side portions would split open under the weight of a patient, thereby rendering the blanket unfit for such a purpose. Whereas, in the present invention there is no applied weight to the drying devices when in use and the integrity of the devices is not impaired.

Additionally, Voss offers no teaching on the elements added to claim 1 from claims 8 and 9, namely:

wherein said drying device comprises a connector for co-joining one drying device with another like drying device, and

wherein said connector is provided by a collar of flexible material having quick release portions for ready attachment and detachment to and from each drying device.

That is, in Voss there is no discussion of co-joining one of its convection warming blankets with another. In fact, co-joining Voss's convection warming blankets would, in

all likelihood, frustrate its purpose of insuring the flow of air within the blanket is uniform. See, e.g., Voss, col. 3 lines 17-30; col. 3 line 56 - col. 4 line 12; and col. 4 line 56 - col. 5 line 3. More to the point, Voss is silent with respect to the foregoing claim elements.

Therefore, Applicant believes that Voss does not anticipate amended claim 1, and allowance thereof is requested.

Claims 2-4 and 10 depend from claim 1 and inherit the patentability thereof. Therefore, Applicant believes that Voss does not anticipate amended claims 2-4 and 10, and allowance thereof is requested.

Additionally, with particular regard to claims 2-3, Voss explicitly teaches away from having "channels" in his warming blanket, see Voss, col. 4 line 56 - col. 5 line 3.

103 Rejections

Claims 5-7 and 11-16 have been rejected under 35 USC 103(a) as being unpatentable over Voss in view of US Patent No. 4,145,821 to Schantz ("Schantz").

The combination of Voss and Schantz is improper for various reasons. For example, there is a lack of suggestion or motivation to combine these references. Voss teaches a convection warming blanket that supports a body where air is evacuated out through the top. In contrast, Schantz teaches a fan that draws air from the room (i.e., from the top) and directs it down toward a rug and out from underneath edges of a large *impervious* material that surrounds the fan. See Schantz, col. 2 lines 8-40. There is no suggestion to combine a drying apparatus (as in Schantz) that directs air downward and underneath an *impervious* material with a convection warming blanket that supports a body and directs air up through a *pervious* top layer (as in Voss).

Also, the references teach away from their combination. For instance, combining the fan in Schantz with the convection warming blanket of Voss would make the warming blanket unable to support a person because the fan in Schantz is taught as centrally located and must draw air from the room, so must remain unblocked. If a

person were supported by such an apparatus the fan would be blocked, making drying impossible, and a potential hazard would result for the person. Therefore, the stated purpose of Voss's warming blanket would be rendered impossible by the combination.

Also, if such combination were made, it would not make obvious the claimed invention because neither reference teaches "co-joining one drying device with another like drying device." And the foregoing would otherwise not be inherently obvious in such a combination.

With regard to claims 5-7, which depend from claim 1, for the same reasons as put forth above with respect to claim 1, claims 5-7 are not made obvious by Voss and Schantz, whether alone or in combination.

Additionally, Schantz referred to in the disclosure as filed, is constituted by a single layer of air impervious material that has no means of being joined to an adjacent layer – as required by claims 5-7.

With regard to independent claim 11 and its dependent claim 14, as stated above Applicant believes the combination of Voss (warming blanket for individual) and Schantz (rug dryer) is improper for several reasons. And, Voss and Schantz, whether alone or in combination, do not make obvious claims 11 and 14.

Additionally, Voss does not anticipate or make obvious the drying device or claim 1, which forms part of claim 11 – nor does Schantz.

Also, the warming blanket of Voss evacuates air through its top surface, so would not dry a carpet beneath it. And Schantz does not teach a sheet having apertures.

Therefore, Applicant believes that Voss and Schantz do not make claims 11-12 obvious, and allowance thereof is requested.

With regard to independent claim 12 and its dependent claims 13, 15-16, as stated above Applicant believes the combination of Voss (warming blanket for individual) and Schantz (rug dryer) is improper for several reasons. And, Voss and Schantz, whether alone or in combination, do not make obvious claims 13, 15-16.

Additionally, Voss does not anticipate or make obvious the drying device or claim 1, which forms part of claim 13 – nor does Schantz.

Also, the warming blanket of Voss evacuates air through its top surface, so would not dry a carpet beneath it. And Schantz does not teach a sheet having apertures.

Therefore, Applicant believes that Voss and Schantz do not make claims 13, 15-16 obvious, and allowance thereof is requested.

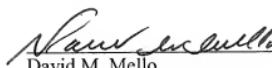
Closing Remarks

It is submitted that all claims are in condition for allowance, and such allowance is respectfully requested. If prosecution of the application can be expedited by a telephone conference, the Examiner is invited to call the undersigned at the number given below.

There are no fees believed due at this time, however, authorization is hereby given to charge Deposit Account No. 501798 for any fees which may be due.

Respectfully submitted,

Date: August 29, 2008
Mills & Onello, LLP
Eleven Beacon Street, Suite 605
Boston, MA 02108
Telephone: (617) 994-4900, Ext. 4959
Facsimile: (617) 742-7774


David M. Mello
Registration Number 43,799
Attorney for Applicant